



PATENT
1991-174 (81841.0154)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In my application of:

Donald GJERDINGEN, et al.

Serial No: 09/811,028

Filed: March 16, 2001

For: ROTARY INCUBATION STATION
FOR IMMUNOASSAY SYSTEMS

Art Unit: 1743

Examiner: Latoya I. Cross

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
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January 5, 2004

Date of Deposit

Wei-Ning Yang, Reg. No. 38.690

Name

Signature

Date

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☒ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☒ Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**
5. ☒ A list of 6 references are in the enclosed Form PTO-1449.

NON-ENGLISH LANGUAGE REFERENCES

- ☒ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

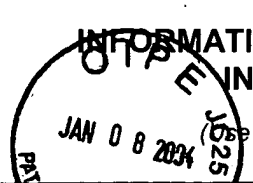
Dated: January 5, 2004

Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

By: 

Wei-Ning Yang
Registration No. 38,690
Attorney for Applicant(s)

(Delete the words on this line if you're sending by 1st class mail; leave the hard return) Express Mail Label No. [#]

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (See several sheets if necessary) 	Docket Number (Optional) [docket #]	Application Number [serial #]
	Applicant [inventor(s)]	
	Filing Date [filing date]	Group Art Unit [art unit]

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,599,501	02-04-1997	Carey et al.	422	64	11-10-1994
	6,190,617	02-20-2001	Clark et al.	422	104	10-23-1997

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	0 571 032 A1 ✓	05-15-1993	EP				
	0 289 789 A1 ✓	04-05-1988	EP				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

✓	International Search Report
✓	International Preliminary Examination Report

EXAMINER ✓	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.